



JAMES A. NOYES, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"Enriching Lives"*

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ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

February 18, 2004

IN REPLY PLEASE  
REFER TO FILE: **MP-5**

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION OF STORM DRAIN EASEMENTS  
NORTH OF CLARKGROVE STREET - HACIENDA HEIGHTS  
SUPERVISORIAL DISTRICT 4  
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Find this action categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Find that the public service easements for storm drain purposes and appurtenant structures are no longer required for public use and that they may be vacated under the authority of Section 5400 of the California Health and Safety Code.
3. Find pursuant to Section 8333(a) and (c) of the California Streets and Highways Code that:
  - a. The easements have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
  - b. The easements have been superseded by relocation and there are no other public facilities located within the easements.

4. Find that the easements for storm drain purposes and appurtenant structures to be vacated are no longer needed for present or prospective public use.
5. Adopt the enclosed Resolution of Summary Vacation to vacate the easements, for storm drain purposes and appurtenant structures, northeast of Clarkgrove Street, as described in Exhibit "A" and as shown on the map in Exhibit "B" of the Resolution.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of this action is to vacate two storm drain easements located on Mr. Ralph Lynch's property. An alternate drainage system in the City of Industry was constructed adjacent to Lot 24 rendering the existing drainage facilities within the proposed vacation area unnecessary.

Adoption of the enclosed Resolution will remove from the record excess public service easements for storm drain purposes and appurtenant structures within Lot 24, Tract No. 15239. The vacation of the storm drain easements will not have a negative impact on any other properties in the area.

It is in the County's interest to vacate these easements since they no longer serve the purpose for which they were dedicated. With this action, your Board will vacate the easements the County and the public no longer need.

#### **Implementation of Strategic Plan Goals**

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility as the vacation of the storm drain easements will result in added revenue through assessment and taxation, eliminates unnecessary maintenance cost, and removes possible County exposure to liability.

#### **FISCAL IMPACT/FINANCING**

Vacation of the easements will not have a negative fiscal impact on the County budget. As this is a County-initiated project, the vacation is processed gratis. The waiver of the fee is authorized by your Board in a Resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule).

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The areas to be vacated contain approximately 1,516 square feet and are shown on the map (Exhibit "B") included with the Resolution.

The County's interests were acquired as easements for storm drainage purposes and appurtenant structures by dedication in the map of Tract No. 15239, recorded in Book 541, pages 21 through 25, inclusive, of Maps, and in Document No. 79-497537, recorded on May 8, 1979, both in the office of the Recorder of the County of Los Angeles.

The California Health and Safety Code, the Public Streets and Highways Code, and the Service Easement Vacation Law allow your Board to relinquish the County's interest voluntarily to terminate the rights of the public and dispose of excess County right of way. Your action on the Resolution will result in the property being unencumbered of the public easements, thereby allowing the underlying fee owner to exercise his reversionary rights over the areas vacated.

### **ENVIRONMENTAL DOCUMENTATION**

With respect to requirements of CEQA, this proposed vacation is categorically exempt as specified in Classes 5(l) and 21(a) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Sections 15305 and 15321 of the State CEQA Statutes and Guidelines.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

None.

### **CONCLUSION**

This action is in the County's best interest. Enclosed is a Resolution of Summary Vacation to Vacate Storm Drain Easements, approved as to form by County Counsel. Upon adoption of the Resolution, please return the executed original and a copy to Public Works for further processing. In the interim, please retain one executed copy for your files. Public Works will record the Resolution and return the executed original Resolution to your Board when recorded.

The Honorable Board of Supervisors  
February 18, 2004  
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One approved copy of this letter is requested.

Respectfully submitted,

JAMES A. NOYES  
Director of Public Works

CVC:bw  
P5:3458BRDLTR

Enc.

cc: Chief Administrative Office  
County Counsel

RECORDING REQUESTED BY AND  
MAIL TO:

COUNTY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS  
P. O. Box 1460  
Alhambra, CA 91802-1460

Attn: Mapping & Property Mgmt. Div.  
R/W Engineering Section  
(Chris Cristobal)

*Space above this line Reserved for Recorder's Use*

THIS DOCUMENT RECORDED BY COUNTY OF LOS ANGELES  
PURSUANT TO SECTION 27383 OF THE GOVERNMENT CODE

## **RESOLUTION OF SUMMARY VACATION TO VACATE STORM DRAIN EASEMENTS**

BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles that it is hereby found and determined that the portions of real property dedicated to the County of Los Angeles as easements for storm drain purposes and appurtenant structures, legally described in Exhibit "A" and as shown by the map in Exhibit "B" attached hereto and incorporated herein by this reference, which rights of way are located in the unincorporated County area, vicinity of Hacienda Heights, in the County of Los Angeles, State of California, are no longer needed for present or prospective public use based upon the following facts: (1) that the easements have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation; and (2) that the easements have been superseded by relocation and there are no other public facilities located within the easements.

BE IT FURTHER RESOLVED that the public service easements for storm drain purposes and appurtenant structures in, over, and across the rights of way legally described in Exhibit "A" attached hereto are hereby vacated pursuant to Section 5400 of the Health and Safety Code of the State of California and Chapter 4, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8330.

AND BE IT FURTHER RESOLVED that the Department of Public Works be authorized to record the certified original Resolution in the office of the Recorder of the County of Los Angeles, at which time the areas vacated will no longer be public service easements.

The foregoing Resolution was on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

VIOLET VARONA-LUKENS  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

APPROVED AS TO FORM:

LLOYD W. PELLMAN  
County Counsel

By \_\_\_\_\_  
Deputy

By \_\_\_\_\_  
Deputy

**EXHIBIT "A"**

Drain Ease @ Clarkgrove Street w/o Hacienda Boulevard  
A.M.B. 8218-002  
T.G. 678-C1  
I.M. 114-297  
Fourth District  
M0376105

PART A:

That certain easement for storm drain purposes, 12 feet wide, as shown on and dedicated to the County of Los Angeles by map of Tract No. 15239, recorded in Book 541, pages 21 to 25 inclusive, of Maps, in the office of the Recorder of the County of Los Angeles, lying within Lot 24 of said tract.

PART B:

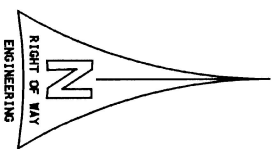
That portion of said Lot 24, described in deed to said County, recorded on May 8, 1979, as Document No. 79-497537 of Official Records, in the office of said Recorder.

Total Area: 1,516± square feet

Description Approved

JAMES A. NOYES  
Director of Public Works

By \_\_\_\_\_  
Deputy



**SUBJECT**  
**LOCATION**

## LEGEND

Area to be vacated  
(Drainage Ease)

Applicant

Total Area 1,516 ± s.f.

## REVISIONS

1

2.

3.

DEPARTMENT OF PUBLIC WORKS

## MAPPING & PROPERTY MANAGEMENT DIVISION

SD.	RD.	A.M.B.
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T.G.

4	416
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8218-002

678-C1

SCALE  
NONE

DATE  
3-04-03

I.M.  
114-297

DRAINAGE EASE @  
CLARKGROVE ST  
W/O HACIENDA BLVD

DRAWING NO.

M0376105